

Executive Registry

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OGC 64-3106

30 JUL 1964

*CRS*  
Honorable Richard B. Russell  
Chairman  
Committee on Armed Services  
United States Senate  
Washington, D. C.

Dear Mr. Chairman:

H. R. 2989, a Bill to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes, was submitted to the Congress by the Department of Defense for its own purposes and to accommodate the needs of the Central Intelligence Agency. The Bill was passed by the House in the first session of the 88th Congress and is now pending action by the Senate Committee on Armed Services. The proposed Bill provides for specific coverage under the Missing Persons Act for military and civilian personnel employed by the Federal Government in cold-war situations and re-establishes the former policy of deferment of Federal income tax reporting and payment during the period such personnel are in a missing status.

The necessity for this legislation arises out of the fact that originally the language used contemplated conventional wartime situations. Therefore, the terminology of missing in action or interned in a neutral country, etc., is not precisely descriptive of the situations which do develop. It is difficult legally to say that a person is missing when in fact the Soviet government has announced that he is a prisoner and the individual is then exhibited to the world. Further, under the Internal Revenue Act no satisfactory legal method is provided for handling income tax reporting and payment of taxes of such individuals. This Bill would provide appropriate legal means of handling tax returns and payment of taxes. In the absence of such authority many difficult and inequitable situations do occur.

*Congress*  
MORI/CDF

In the past the Agency has had at any one time more than half a dozen cases which would have been assisted by the provisions in the proposed Bill. There are still currently certain outstanding cases which would be legally strengthened by the new legislation.

I am not aware of any objection to this legislation which, if passed, would clarify potentially difficult legal situations. I believe it highly desirable that persons detained by a foreign country as a result of U. S. activities in the cold war be treated in a similar fashion to casualties of a conventional war. This legislation would assure equitable treatment. While I realize there are many items of unfinished business on the Committee's agenda, I would appreciate your support of this legislation and urge its passage by the Congress.

Sincerely,

(SIGNED) JOHN A. McCONE

John A. McCone  
Director

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